

FEDERAL REGISTER

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TITLE 6—AGRICULTURAL CREDIT

Subtitle A—Office of the Secretary of Agriculture

PART 01—DEBT SETTLEMENT

SETTLEMENT OF CERTAIN DEBTS OF FARMERS

The regulations issued on the 20th day of January 1945 (6 CFR Supp. 1945, Part 01) as amended, pursuant to the authority contained in Public Law 518, 78th Congress, 58 Stat. 836 (12 U. S. C. Sup., 1150-1150c) are hereby further amended by inserting the following after the word "debtor," in paragraph (a) of § 01.3 *Settlement of indebtedness* thereof: "except in those cases where it is found that it is legally impossible for the debtor to make application,"

(Sec. 1, 58 Stat. 836; 12 U. S. C. Sup., 1150)

Issued this 17th day of January 1947.

[SEAL] CLINTON P. ANDERSON,
Secretary.

[F. R. Doc. 47-594; Filed, Jan. 21, 1947;
8:47 a. m.]

Chapter III—Farmers Home Administration, Department of Agriculture

PART 391—WATER FACILITIES LOANS

MISCELLANEOUS AMENDMENTS

Section 391.1 (11 F. R. 177A-252) of Title 6, Chapter III of the Code of Federal Regulations, paragraphs (b) and (d) are amended and paragraph (e) is added to read as follows:

§ 391.1 General. * * *

(b) No loan may be made in excess of \$50,000 in connection with a single project or facility. Regional Directors are authorized to approve Water Facilities loans to individuals in amounts not to exceed \$5,000 and to associations in amounts not to exceed \$7,500. State Directors are authorized to close Water Facilities loans, which were approved, or conditionally approved, prior to the transfer of functions from the Regional FSA

Directors to the State FHA Directors. State FHA Directors are authorized to approve Water Facilities loans to individuals, subject to the following limitations: (1) No Water Facilities loan, initial or subsequent, shall be approved by State FHA Directors or their subordinates which will result in a total outstanding Water Facilities indebtedness to that individual in excess of \$5,000; (2) The aggregate of loans made to all individuals in connection with any one water facilities group service shall not exceed \$5,000. State FHA Directors are authorized to redelegate to District FHA Supervisors all or any part of their authority to approve Water Facilities loans to individuals, except the approval of loans for irrigation purposes. State FHA Directors are authorized to redelegate to FHA Supervisors, in charge of County Offices, all or any part of their authority to approve Water Facilities loans to individuals, except FHA Supervisors shall not be authorized to approve: (i) Loans for irrigation purposes; (ii) any loan, initial or subsequent, which will result in a total outstanding Water Facilities indebtedness to one individual in excess of \$1,000; and (iii) loans to establish Water Facilities group services. Loans may be made for the expected life of the facility or for twenty years, whichever is less, and will bear interest at the rate of three percent per annum. Generally a first mortgage on the facility, and additional security, when available, and when needed to protect the Government's interests, are required.

(d) Applications of individuals for loans will be filed on Form FHA-197, "Application for FHA Services," with the local FHA office. Applications of associations will be by informal letter filed with the local FHA office. Associations will also be required to execute a loan agreement on Form WF-3b, "Agreement for Loan and Supplementary Grant." Assistance in planning and constructing the facility is furnished. The individual or association assumes the responsibility for the completion of the installation.

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NOTICE

General notices of proposed rule making, published pursuant to section 4 (a) of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 60 Stat. 238) which were carried under "Notices" prior to January 1, 1947 are now presented in a new section entitled "Proposed Rule Making" Relationship of these documents to material in the Code of Federal Regulations, formerly shown by cross reference under the appropriate Title, is now indicated by a bold-face citation in brackets at the head of each document.

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Representatives of the FHA give technical assistance and engineering service as needed.

(e) Generally the benefits of the program will be extended to owners or operators of not larger than family-type farms. These farms should be capable of producing a substantial part of the total family income and utilize a substantial portion of the family labor in carrying on farming and stock-raising operations. Loans are limited to those individuals who cannot obtain credit for the purposes of the loan on reasonable terms and conditions and in sufficient amount from any other responsible source available in or near the community in which they reside. Cooperative water associations, mutual water companies, or irrigation districts having general corporate powers are eligible to receive Water Facilities loans for approved purposes: *Provided*, (1) The organization does not have sufficient funds to carry out the objectives for which the loan is sought, and cannot obtain such funds by levying special assessments or charges on its members, or obtain such funds from any other responsible source on reasonable terms and conditions; (2) a majority of the farm units to be benefited are family-type farms; and (3) at least two-thirds of the membership or voting stock in the association is held by the owners or operators of not larger than family-type farms. Each applicant for an individual Water Facilities loan must certify on Form FHA-121, "Certification—Water Facilities Loans," before a loan is approved, that he is unable to obtain credit on reasonable terms and conditions, and in sufficient amount, from any responsible source available in or

near the community in which he resides, to carry out the objectives for which the loan is sought. Each incorporated association applying for a loan must certify on a separate sheet, before the loan is approved, that it is unable to obtain the necessary funds by levying special assessments or charges on its members or stockholders, or from any other responsible source, on reasonable terms and conditions to carry out the objectives for which the loan is sought. The County FHA Committee must certify on Form FHA-121, "Certifications—Water Facilities Loans," before loans to individuals are approved, that the applicant is eligible to receive a loan under the requirements of the Water Facilities Program and that the applicant in its opinion will honestly endeavor to carry out the undertakings and obligations required of him. The County FHA Committee must also certify as to the eligibility of all incorporated associations. The committee certification will be made on the association's certification sheet.

(50 Stat. 869; 54 Stat. 1124)

Issued this 14th day of January 1947.

[SEAL] DILLARD B. LASSETER,
Administrator
Farmers Home Administration.

Approved: January 17, 1947.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 47-630; Filed, Jan. 21, 1947;
8:49 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4589]

PART 3—DIGEST OF GEASE AND DESIST ORDERS

C. H. ROBINSON COMPANY ET AL.

§ 3.45 (e) *Discriminating in price—Indirect discrimination—Brokerage payments.* I. In connection with the purchase of fruits, vegetables, and other commodities in commerce, and on the part of respondent C. H. Robinson Company (engaged in the produce brokerage business) and on the part of its officers, etc., (1) receiving or accepting from any seller, directly or indirectly, anything of value as a commission or brokerage, or any compensation, allowance, or discount in lieu thereof, on or in connection with purchases made by respondent Nash-Finch Company (engaged as wholesale grocer, and owner of substantially all the outstanding stock of said C. H. Robinson Company) while acting under the control of and in fact for and on behalf of said respondent Nash-Finch Company (2) receiving or accepting from any seller, directly or indirectly, anything of value as a commission or brokerage, or any compensation, allowance, or discount in lieu thereof, on or in connection with purchases made for respondent's own account or while acting for or in behalf of a purchaser as an intermediary or agent or subject to the direct or indirect control of such purchaser.

chaser; or, (3) paying, transmitting, or delivering to or for the benefit of any purchaser, either directly in the form of money or credits or indirectly in the form of dividends, or otherwise, any commission or brokerage, or any compensation, allowance, or discount in lieu thereof, received from any seller while acting as an intermediary or agent for such purchaser or while subject to the direct or indirect control of such purchaser; and II, in connection with the purchase of fruits, vegetables, and other commodities in commerce, and on the part of said respondent Nash-Finch Company (engaged as aforesaid as wholesale grocer, and owner of substantially all the outstanding stock of said respondent C. H. Robinson Company) and on the part of its officers, etc. (1) receiving or accepting from any seller, directly or indirectly, anything of value as a commission or brokerage, or any compensation, allowance, or discount in lieu thereof, on or in connection with purchases made for respondent's own account, either directly or by or through respondent C. H. Robinson Company; or, (2) receiving or accepting from respondent C. H. Robinson Company, either directly in the form of money or credits or indirectly in the form of dividends, or otherwise, any commission or brokerage, or any compensation, allowance, or discount in lieu thereof, received by said C. H. Robinson Company from any seller while acting for or in behalf of said respondent Nash-Finch Company as an intermediary or agent for said respondent or while subject to the direct or indirect control of said respondent; prohibited. (Sec. 2 (c), 49 Stat. 1527; 15 U. S. C., sec. 13 (c)) [Cease and desist order, C. H. Robinson Company et al., Docket 4589, January 6, 1947]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 6th day of January A. D. 1947.

In the Matter of C. H. Robinson Company, a Corporation, and Nash-Finch Company, a Corporation

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and substitute answer of the respondents, which substitute answer admits all the material allegations of fact set forth in said complaint and waives all intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and its conclusion that said respondents have violated the provisions of subsection (c) of section 2 of the act of Congress entitled, "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914 (the Clayton Act) as amended by an act of Congress approved June 19, 1936 (Robinson-Patman Act)

I. It is ordered, That the respondent C. H. Robinson Company and its officers, agents, representatives, and employees, directly or through any corporate or other device, in connection with the purchase of fruits, vegetables, and other commodities in commerce as "commerce"

is defined in the aforesaid Clayton Act, do forthwith cease and desist from:

1. Receiving or accepting from any seller, directly or indirectly, anything of value as a commission or brokerage, or any compensation, allowance, or discount in lieu thereof, on or in connection with purchases made by respondent Nash-Finch Company while acting under the control of and in fact for and on behalf of said respondent Nash-Finch Company.

2. Receiving or accepting from any seller, directly or indirectly, anything of value as a commission or brokerage, or any compensation, allowance, or discount in lieu thereof, on or in connection with purchases made for respondent's own account or while acting for or in behalf of a purchaser as an intermediary or agent or subject to the direct or indirect control of such purchaser.

3. Paying, transmitting, or delivering to or for the benefit of any purchaser, either directly in the form of money or credits or indirectly in the form of dividends, or otherwise, any commission or brokerage, or any compensation, allowance, or discount in lieu thereof, received from any seller while acting as an intermediary or agent for such purchaser or while subject to the direct or indirect control of such purchaser.

II. It is further ordered, That the respondent Nash-Finch Company and its officers, agents, representatives, and employees, directly or through any corporate or other device in connection with the purchase of fruits, vegetables, and other commodities in commerce as "commerce" is defined in the aforesaid Clayton Act, do forthwith cease and desist from:

1. Receiving or accepting from any seller, directly or indirectly, anything of value as a commission or brokerage, or any compensation, allowance, or discount in lieu thereof, on or in connection with purchases made for respondent's own account, either directly or by or through respondent C. H. Robinson Company.

2. Receiving or accepting from respondent C. H. Robinson Company, either directly in the form of money or credits or indirectly in the form of dividends, or otherwise, any commission or brokerage, or any compensation, allowance, or discount in lieu thereof, received by said C. H. Robinson Company from any seller while acting for or in behalf of said respondent Nash-Finch Company as an intermediary or agent for said respondent or while subject to the direct or indirect control of said respondent.

III. It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 47-620; Filed, Jan. 21, 1947;
8:47 a. m.]

TITLE 19—CUSTOMS DUTIES**Chapter I—Bureau of Customs,
Department of the Treasury**

(T. D. 51602)

PART 6—AIR COMMERCE REGULATIONS**AIRPORTS OF ENTRY**

JANUARY 15, 1947.

The following-named airports are hereby redesignated as airports of entry for civil aircraft and merchandise carried thereon arriving from places outside the United States, as defined in section 9 (b) of the Air Commerce Act of 1926 (U. S. C. Title 49, sec. 179 (b)), for a period of 1 year from the dates shown opposite their names:

Grand Forks Municipal Airport, Grand Forks, N. Dak.	Jan. 1, 1947
Bellingham Airport, Bellingham, Wash.	Jan. 10, 1947
Sault Ste. Marie Airport, Sault Ste. Marie, Mich.	Jan. 15, 1947

The list of temporary airports of entry in § 6.13, Customs Regulations of 1943 (19 CFR, Cum. Supp., 6.13) as amended, is hereby further amended by changing the dates opposite the names of the airports in question to show such redesignations.

Notice of the proposed redesignations of these airports as airports of entry was published in the *FEDERAL REGISTER* on December 17, 1946 (11 F. R. 11470) pursuant to section 4 of the Administrative Procedure Act (Public Law 404, 79th Congress). The redesignations shall be effective on the dates above stated, the delayed effective date requirements of section 4 (c) of the Administrative Procedure Act (Public Law 404, 79th Congress) being dispensed with for the reason that the previous designations expire prior to the expiration of 30 days after the publication of these redesignations. The redesignations of these airports are based on a determination that a sufficient need exists to justify such redesignations and the redesignations are made for the purpose of providing for convenient compliance with customs requirements.

(Sec. 7 (b) 44 Stat. 572; sec. 611, 58 Stat. 714; 49 U. S. C., Supp., 177 (b))

[SEAL] E. H. FOLEY, Jr.,
Acting Secretary of the Treasury.

[F. R. Doc. 47-619; Filed, Jan. 21, 1947;
8:46 a. m.]

TITLE 32—NATIONAL DEFENSE**Chapter IX—Office of Temporary Controls,
Civilian Production Administration**

AUTHORITY: Regulations in this chapter unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827, and Public Laws 270 and 475, 79th Congress; Public Law 388, 79th Congress; E. O. 9024, 7 F. R. 329; E. O. 9040, 7 F. R. 527; E. O. 9125, 7 F. R. 2719; E. O. 9599, 10 F. R. 10155; E. O. 9638, 10 F. R. 12591; O. F. A. Reg. 1, Nov. 5, 1945, 10 F. R. 13714; Housing Expediter's Priorities Order 1, Aug. 27, 1946, 11 F. R. 9507; E. O. 9809, Dec. 12, 1946, 11 F. R. 14281; OTC Reg. 1, 11 F. R. 14311.

**PART 944—REGULATIONS APPLICABLE TO THE
OPERATION OF THE PRIORITIES SYSTEM**

[Priorities Reg. 13, Revocation of Directions 1, 5, 6, 8, 10-14, and 17]

The following published directions to Priorities Regulation 13 are hereby revoked, since they have already expired:

Direction 1.
Direction 5.
Direction 6.
Direction 8.
Direction 10.
Direction 11.
Direction 12.
Direction 13.
Direction 14.
Direction 17.

These revocations do not affect any liabilities incurred for violation of these directions or of actions taken by the Civilian Production Administration under these directions.

Issued this 21st day of January 1947.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 47-727; Filed, Jan. 21, 1947;
11:11 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-1060]

HARRY ROSEN

Harry Rosen of West Warren, Massachusetts, under authorization from the Federal Housing Administration began construction of a residence on Tecumseh Drive, Long Meadow, Massachusetts. The authorization was granted as a result of an application filed by Harry Rosen under National Housing Agency Regulation 80-2, paragraph (3) (a). Harry Rosen represented in this application among other things that he owned or had acquired all or substantially all of the materials needed for the construction prior to March 26, 1946, which was a misrepresentation. The authorization by the Federal Housing Administration was made in reliance upon this misrepresentation. The result of this misrepresentation was that critical materials were diverted to uses not authorized by the Civilian Production Administration. In view of the foregoing, it is hereby ordered that:

§ 1010.1060 *Suspension order No. S-1060.* (a) The authorization to Harry Rosen granted by the Federal Housing Administration on May 21, 1946, Project Serial No. 6-025-923 is revoked.

(b) Neither Harry Rosen, his successors or assigns, nor any other person shall do any further construction on the premises located on Tecumseh Drive, Long Meadow, Massachusetts, unless hereafter authorized in writing by the Civilian Production Administration.

(c) Harry Rosen shall refer to this order in any application or appeal which he may file with the Federal Housing Administration for authorization to carry on construction.

(d) Nothing contained in this order shall be deemed to relieve Harry Rosen, his successors or assigns, from any re-

striction, prohibition or provision contained in any other order or regulation of the Civilian Production Administration, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 20th day of January 1947.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 47-671; Filed, Jan. 20, 1947;
4:30 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-1071]

WILSHIRE REALTY CO. AND HAYES
CONSTRUCTION CO.

Wilshire Realty Company, a Michigan corporation with principal place of business at 12603 Dexter Avenue, Detroit, Michigan, and Hayes Construction Company, a Michigan corporation with principal place of business at 13061 East Eight-mile Road, Detroit, Michigan, without authorization of the Civilian Production Administration, on August 9, 1946, began and thereafter carried on construction of a structure at 12603 Dexter Avenue, Detroit, Michigan, for use as an automobile bumping shop, the estimated cost of which was in excess of \$1,000. The beginning and carrying on of this construction constituted violations of Veterans' Housing Program Order No. 1, and has diverted critical materials to uses not authorized by the Civilian Production Administration. In view of the foregoing, it is hereby ordered that:

§ 1010.1071 *Suspension Order No. S-1071.* (a) Neither Wilshire Realty Company nor Hayes Construction Company, their successors or assigns, nor any other person, shall do any further construction on the premises located at 12603 Dexter Avenue, Detroit, Michigan, including putting up, completing or altering the structure, unless hereafter authorized in writing by the Civilian Production Administration.

(b) Wilshire Realty Company and Hayes Construction Company shall refer to this order in any application or appeal which they may file with the Civilian Production Administration or the Federal Housing Administration for priorities assistance or for authorization to carry on construction.

(c) Nothing contained in this order shall be deemed to relieve Wilshire Realty Company or Hayes Construction Company, their successors and assigns, from any restriction, prohibition or provision contained in any other order or regulation of the Civilian Production Administration, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 20th day of January 1947.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 47-670; Filed, Jan. 20, 1947;
4:30 p. m.]

PART 3290—TEXTILE, CLOTHING, AND LEATHER

[Conservation Order M-328, Revocation of Direction 31]

COTTON AND RAYON FABRICS FOR PROCESSING IN PUERTO RICO, FIRST AND SECOND CALENDAR QUARTERS, 1946

Direction 31 to Order M-328 is revoked. This revocation does not affect any liabilities incurred under the direction or under any actions taken by the Civilian Production Administration under the direction.

All materials obtained with a rating assigned under this direction, or obtained with a certificate given under Direction 13 to Priorities Regulation 13, must still be used or disposed of, if possible for the purpose for which the rating was granted, or in accordance with the certificate which was given.

Issued this 21st day of January 1947.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 47-726; Filed, Jan. 21, 1947; 11:11 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-1073]

MALKOV LUMBER CO. AND JAMES BURTON CO.

Malkov Lumber Company, a corporation, 1201 South Campbell Avenue, Chicago, Illinois, as owner, and James Burton Company, a Corporation, 179 West Washington Street, Chicago, Illinois, as contractor, began on or about August 15, 1946, construction of an addition to an existing structure on the premises at 1235 South Campbell Avenue, Chicago, Illinois, to be used as a warehouse at an estimated cost in excess of \$1,000 in violation of Veterans' Housing Program No. 1. The officers of Malkov Lumber Company had knowledge of the provisions of Veterans' Housing Program Order 1 and the beginning of such construction was a wilful violation of the provisions of said order. The officers of James Burton Company had knowledge of the restrictions of Veterans' Housing Program Order 1 and the beginning of construction constituted gross negligence amounting to a wilful violation of said order. This violation has diverted critical materials to uses not authorized by the Civilian Production Administration. In view of the foregoing, it is hereby ordered that:

§ 1010.1073 *Suspension Order No. S-1073.* (a) Neither the Malkov Lumber Company, a corporation, or James Burton Company, a corporation, their successors or assigns, nor any other person shall do any further construction on the premises located at 1235 South Campbell Avenue, Chicago, Illinois, including completing, putting up or altering of any structure located thereon, unless hereafter specifically authorized in writing by the Civilian Production Administration.

(b) The Malkov Lumber Company, a corporation, and James Burton Com-

pany, a corporation, shall refer to this order in any application or appeal which they may file with the Civilian Production Administration, for priorities assistance or for authorization to carry on construction.

(c) Nothing contained in this order shall be deemed to relieve the Malkov Lumber Company, or James Burton Company, their successors or assigns, from any restrictions, prohibitions or provisions contained in any other order or regulation of the Civilian Production Administration, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 20th day of January 1947.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 47-672; Filed, Jan. 20, 1947; 4:30 p. m.]

Chapter XI—Office of Temporary Controls, Office of Price Administration

PART 1418—TERRITORIES AND POSSESSIONS

[3d RMPR 183, Amdt. 9 (§ 1418.1)]

RICE AND RAW CANE SUGAR IN PUERTO RICO

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Third Revised Maximum Price Regulation 183 is amended in the following respects:

1. Section 4.3 is amended to read as follows:

SEC. 4.3 Rice—(a) Maximum prices.

Item	Cases of—	At wholesale	At retail
All grades of imported packaged milled rice containing from 4% to 10% broken kernels.	20-24 lb. pkg.	\$7.69	Per unit \$9.27
	20-24 lb. pkg.	7.29	.49
	12-14 lb. pkg.	6.89	.63
All grades of imported packaged milled rice containing from 10% to 20% broken kernels.	20-24 lb. pkg.	6.69	.63
Imported milled rice (bulk or loose):			
Short grain rice		Cst. \$10.09	Per lb. \$9.12
Rice with 10% or more broken kernels.		9.49	.11
Long grain rice			
Pertuna			
Perledo		11.09	.13
Edith			
Long grain rice:			
Nira, Rixero			
Texas, Patna		12.49	.14
Blackbonnet			
Parboiled rice		12.45	.14

(b) *Rice sold loose from a broken package.* The maximum prices for all grades of imported milled rice sold loose from a broken package shall be the same as those established for bulk or loose rice in paragraph (a) above.

2. A new section 4.23 (a) (3) is added to read as follows:

(3) *Sales of raw cane sugar on and after November 20, 1946.* On and after November 20, 1946, the maximum price for sales of raw cane sugar determined under subparagraphs (1) and (2) above may be increased by 36.5 cents per hundredweight.

3. The schedule in section 4.23 (b) (1) is amended to read as follows:

All brands packaged in—	At refiners level (per 100 lbs.)	At wholesale (per 100 lbs.)	At retail (per unit)
160-lb. container	\$7.70	\$7.60	\$9.09
24-lb. container	7.80	8.09	2.15
10-lb. container	7.83	8.03	.92
5-lb. container	7.93	8.15	.45
2-lb. container	7.93	8.15	.45
1-lb. container	8.15	8.35	.10

* Prices include transportation to buyer's place of business.

* Deduct 5 cents if packaged in paper bags.

* 2 for \$9.19.

Note: The maximum prices specified above shall be reduced by any discounts customarily allowed for cash or prompt payment.

This amendment shall become effective as of November 20, 1946.

Issued this 21st day of January 1947.

PHILIP B. FLEMING,
Temporary Controls Administrator.

Statement of Considerations Involved in Issuance of Amendment 9 to Third Revised Maximum Price Regulation 183

The accompanying amendment increases the maximum wholesale prices of rice to reflect the increased prices which wholesalers in Puerto Rico must pay to their suppliers. Corresponding increases are granted at the retail level. At the same time the coverage of the regulation is broadened to include specific prices for additional container sizes of packaged rice and additional varieties of bulk rice.

This amendment also increases the maximum prices of raw cane and refined granulated sugars. On November 20, 1946, maximum prices of raw cane sugar were increased on the mainland 36.5 cents per hundredweight and of refined sugar 40 cents per hundredweight through amendment 4 to MPR 16 and amendment 7 to MPR 60, respectively. Reference to the statement of considerations accompanying those amendments is hereby made. The same increases are made effective in Puerto Rico under this amendment for the same reasons the previous increases granted on the mainland were made applicable to Puerto Rico, as explained in the earlier statements of considerations.

The maximum prices established by this amendment were heretofore set by interim orders of the Director and have been in effect since November 20, 1946. The new prices are calculated to return to distributors no less than the average percentage markups as were in effect on March 31, 1946, and are in accord with and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

[F. R. Doc. 47-611; Filed, Jan. 21, 1947; 8:43 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS
[RMFR 288, Revocation (§ 1418.351)]

SPECIFIC MAXIMUM PRICES IN ALASKA

Revised Maximum Price Regulation 288 is hereby revoked, except that any violations which occurred or rights or liabilities which arose before the effective date of this order of revocation shall be governed by the order in effect at the time the violations occurred or the rights or liabilities arose.

This order shall become effective 12:01 a. m. January 22, 1947.

Issued this 21st day of January 1947.

PHILIP B. FLEMING,
Temporary Controls Administrator

[F. R. Doc. 47-613; Filed, Jan. 21, 1947;
8:48 a. m.]

TITLE 41—PUBLIC CONTRACTS

Chapter II—Division of Public Contracts, Department of Labor

PART 203—RULES OF PRACTICE

EXCEPTIONS AND EXEMPTIONS OF PUBLIC CONTRACTS ACT

Pursuant to the authority vested in the Secretary of Labor by section 4 of the Public Contracts Act (49 Stat. 2036, 41 U. S. C. 35-45), §§ 203.13 and 203.14 are hereby revised to read as follows:

§ 203.13 *Requests for exceptions and exemptions.* (a) Request for the exception or exemption of a contract or class of contracts from the inclusion or application of one or more of those stipulations required by § 201.1 of this chapter must be made by the head of a contracting agency or department and shall be accompanied with a finding by him setting forth reasons why such inclusion or application will seriously impair the conduct of Government business.

(b) Request for the exception or exemption of a stipulation respecting minimum rates of pay and maximum hours of labor contained in an existing contract must be made jointly by the head of a contracting agency and the contractor and shall be accompanied with

a joint finding by them setting forth reasons why such exception or exemption is desired.

(c) All requests for exceptions and exemptions shall be transmitted to the Public Contracts Division of the Department of Labor.

§ 203.14 *Décisions concerning exceptions and exemptions.* Decisions concerning exceptions and exemptions shall be in writing and approved by the Secretary of Labor or officer prescribed by him, originals being filed in the Department of Labor, and certified copies shall be transferred to the department or agency originating the request, to the Comptroller General, and to the Procurement Division of the Treasury. All such decisions shall be promulgated to all contracting agencies by the Public Contracts Division of the Department of Labor.

(Sec. 4, 49 Stat. 2038; 41 U. S. C. 38)

Dated at Washington, D. C., this 8th day of January 1947.

L. B. SCHWELLENBACH,
Secretary of Labor

[F. R. Doc. 47-618; Filed, Jan. 21, 1947;
8:47 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 10—INSURANCE

NATIONAL SERVICE LIFE INSURANCE

Paragraph (a) of § 10.3423 is amended to read as follows:

§ 10.3423 *Health requirements.* National Service Life Insurance may be reinstated if application and tender of premiums are made:

(a) If it be term insurance, on or prior to February 1, 1947, or within six months after lapse, whichever is later, provided the applicant be in as good health on the date of application and tender of premiums as he was on the due date of the premium in default and furnishes evidence thereof satisfactory to the Ad-

ministrator. Insurance on any other plan may be reinstated on the basis of comparative health provided application is made and premiums are tendered on or prior to February 1, 1947, or within three months after the due date of the premium in default, whichever is later.

(Secs. 601-618, 54 Stat. 1008-1014; 38 U. S. C. 801-818)

[SEAL] OMAR N. BRADLEY,
General, U. S. Army,
Administrator of Veterans' Affairs.

JANUARY 24, 1947.

[F. R. Doc. 47-624; Filed, Jan. 21, 1947;
8:47 a. m.]

PART 10—INSURANCE

NATIONAL SERVICE LIFE INSURANCE

The eleventh paragraph of § 10.3498 is amended to read as follows:

§ 10.3498 *Total disability income provision for National Service Life Insurance authorized by the National Service Life Insurance Act of 1940, as amended August 1, 1946.* * * *

This provision, if attached to term insurance, may be reinstated upon evidence satisfactory to the Administrator showing the applicant to be in as good health as he was on the due date of the premium in default provided application and two monthly premiums are submitted within six months after the due date of the premium in default; if it be attached to insurance on any other plan reinstatement may be effected on the basis of comparative health provided application and all premiums in arrears with interest are submitted within three months after the due date of the premium in default, or on or prior to February 1, 1947, whichever is later.

(Secs. 601-618; 54 Stat. 1008-1014; Public Law 589, 79th Cong., 38 U. S. C. 801-818)

[SEAL] OMAR N. BRADLEY,
General, U. S. Army,
Administrator of Veterans' Affairs.

[F. R. Doc. 47-623; Filed, Jan. 21, 1947;
8:48 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR, Part 26]

OFFICIAL GRAIN STANDARDS OF THE UNITED STATES FOR OATS

NOTICE OF HEARINGS ON PROPOSED AMENDMENT

Notice is hereby given that a proposed amendment to the official grain standards of the United States for oats (7 CFR and Cum. Supp. 26.251) promulgated under the authority and provisions of the United States Grain Standards

Act, 1916, as amended (39 Stat. 482; 54 Stat. 765; 7 U. S. C. 71 et seq.) is being considered. The proposed amendment if promulgated shall be effective not later than July 1, 1947.

The amendment is proposed to provide a better description on certificates for oats of all classes and of all grades except Grade No. 1 which have a test weight per bushel of 32 pounds or more but less than 35 pounds.

If promulgated, the amendment will be in the form of a special grade of Medium Heavy oats substantially as follows:

Definition. Medium Heavy oats shall be oats of any grade other than Grade No. 1 which have a test weight per bushel

of 32 pounds or more but less than 35 pounds.

Grades. Medium Heavy oats shall be graded and designated according to the grade requirements of the standards applicable to such oats if they were not medium heavy, and, except in the case of Grade No. 1, there shall be added to, and made a part of, the grade designation, preceding the name of the class, the words "Medium Heavy."

Informal hearings will be held at Minneapolis, Omaha, and Chicago, at which interested persons may present their views and opinions orally with respect to the desirability of promulgating the proposed amendment. The time and

place of each such hearing will be as follows:

February 11, 2:30 p. m., Room 150 Grain Exchange Building, Minneapolis, Minn.

February 13, 2:30 p. m., Room A26 Grain Exchange Building, Omaha, Nebr.

February 14, 2:30 p. m., Room 660 Board of Trade Building, Chicago, Ill.

Interested persons may submit written data, views, or arguments to the Director, Grain Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C., to be received by him not later than February 20, 1947.

Consideration will be given to all information obtained at the hearings, to written data, views, and arguments received not later than February 20, 1947, and to all other information available in the United States Department of Agriculture before a decision is made as to whether or not an amendment to the official grain standards of the United States for oats in substantially the form proposed shall be promulgated.

Robert H. Black, Assistant to the Director, Grain Branch, Production and Marketing Administration, is hereby designated to conduct the hearings held pursuant to this notice.

Issued this 17th day of January 1947.

[SEAL] **JESSE B. GILMER,**
Acting Administrator.

[F. R. Doc. 47-629; Filed, Jan. 21, 1947; 8:48 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR, Ch. II]

NON-GOVERNMENT FIXED AND MOBILE SERVICES IN THE BAND 152-162 Mc

REVISION OF PROPOSED FREQUENCY SERVICE-ALLOCATIONS

JANUARY 10, 1947.

On October 1, 1946, the Commission released Public Notice 98709 which constituted a revision of Public Notice 95408 of July 12, 1946. These public notices were proposals for frequency service-allocations to the non-government fixed and mobile services in the band 152-162 Mc and provided for oral argument.

In view of the many statements and briefs received from representatives of the various services affected outlining statements to be presented at the oral argument on the Commission's most recent proposal, and discussions at the informal engineering conference held in Washington, D. C. on December 2 and 3, 1946, the Commission issues the following revision of the last paragraph on page 2 of Public Notice 98709:

Since equipment in this band is immediately available, all applicants for new municipal police and municipal fire radio systems will be required to operate on frequencies in the 152-162 Mc band except in those instances where the applicant furnishes a satisfactory factual showing of need for some other frequency in order to provide adequate radio communication facilities. An

applicant requesting replacement of an entire or major part of an existing municipal police or municipal fire system will also be required to adhere to the frequency utilization policy set forth herein.

Oral argument on the Commission's proposal outlined in Public Notice 98709, revised as indicated herein, will be held in the Commission's offices in Washington, D. C., on February 3, 1947 at 2:00 p. m. Those desiring to appear should file a brief outlining the statement to be presented with the Secretary, Federal Communications Commission, Washington 25, D. C., by January 27, 1947. Each statement will be limited to thirty minutes and data or material which normally would require more time should be presented in written form for the record.

Approved: January 9, 1947.

[SEAL] **FEDERAL COMMUNICATIONS COMMISSION,**
T. J. SLOWIE,
Secretary.

[F. R. Doc. 47-590; Filed, Jan. 21, 1947; 8:46 a. m.]

[47 CFR, Part 31]

[Docket No. 8959]

MULTIPLE OWNERSHIP

ORDER SETTING FORTH DATE OF ORAL ARGUMENT

In the matter of the rules and regulations concerning multiple ownership of broadcast stations.

At a session of the Federal Communications Commission held at its offices in Washington, D. C. on the 9th day of January 1947;

Whereas, Part 3 of the Commission's rules and regulations contains provisions concerning the multiple ownership of broadcast stations, viz.:

(1) Subpart A, § 3.35, relating to standard broadcast stations, which provides as follows:

§ 3.35 *Multiple ownership.* No license shall be granted for a standard broadcast station, directly or indirectly owned, operated or controlled¹ by any person² where such station renders or will render primary service to a substantial portion of the primary service area of another standard broadcast station, directly or indirectly owned, operated or controlled by such person, except upon a showing that public interest, convenience and necessity will be served through such multiple ownership situation.

(2) Subpart B, § 3.240 (a), relating to FM broadcast stations, which provides as follows:

§ 3.240 *Multiple ownership.* (a) No person (including all persons under com-

¹ The word "control" as used herein, is not limited to majority stock ownership but includes actual working control in whatever manner exercised.

² The word "person" as used herein, includes all persons under common control.

mon control)³ shall, directly or indirectly, own, operate, or control more than one FM broadcast station that would serve substantially the same service area as another FM broadcast station owned, operated, or controlled by such person.

(3) Subpart D, § 3.640 (a) relating to television broadcast stations which provides as follows:

§ 3.640 *Multiple ownership.* (a) No person (including all persons under common control)¹ shall, directly or indirectly, own, operate, or control more than one television broadcast station that would serve substantially the same service area as another television broadcast station owned, operated, or controlled by such person.

Whereas, the Commission has received many applications for broadcast facilities which involve the application or interpretation of the said provisions concerning multiple ownership of broadcast stations; and

Whereas, certain of these applications, particularly those requesting FM and television facilities, raise questions (in some instances questions of first impression) which can more appropriately be considered in a general hearing than in hearings limited to particular applications; and

Whereas, the Commission deems it desirable to obtain the views and opinions of interested persons upon the foregoing matters;

Now, therefore, *It is ordered*, That oral argument be held before the Commission en banc on the 7th day of February 1947, upon the following issue:

1. To determine what application or interpretation of the Commission's rules and regulations concerning multiple ownership of broadcast stations, particularly FM and television broadcast stations, would best serve the public interest.

It is further ordered, That the following person or parties be, and they are hereby, made parties to this proceeding for the purpose of participating in the oral argument on the said issue:

The Yankee Network, Inc., applicant for Class B FM stations at Boston, Massachusetts, Bridgeport, Connecticut and Providence, Rhode Island (File Nos. B1-PH-593, B1-PH-591, B1-PH-592; Docket Nos. 6333, 7452, 7627);

John J. Laux et al d/b as Liberty Broadcasting Company, applicant for a Class B FM station at Pittsburgh, Penn. (File No. B2-PH-582, Docket No. 7265);

Washington Broadcasting Company, applicant for a Class B FM station at Washington, Pennsylvania (File No. B2-PH-633);

WDEL, Inc., applicant for a Class B FM station at Wilmington, Delaware (File No. B1-PH-177, Docket No. 7834);

York Broadcasting Company, applicant for a Class B FM station at York, Pennsylvania (File No. B2-PH-184);

Reading Broadcasting Company, applicant for a Class B FM station at Reading, Pennsylvania (File No. B2-PH-184);

Keystone Broadcasting Corporation, applicant for a Class B FM station at Harrisburg, Pennsylvania (File No. B2-PH-183);

Valley Evening Monitor, Inc., applicant for a Class A FM station at McAllen, Texas (File No. B3-PH-426);

¹ The word "control" as used herein is not limited to majority stock ownership, but includes actual working control in whatever manner exercised.

The Valley Publishing Company, applicant for a Class A FM station at Harlingen, Texas (File No. B3-PH-424);

Central States Broadcasting Corporation, applicant for a Class B FM station at Omaha, Nebraska (File No. B4-PH-403);

Commodore Broadcasting Company, Inc., applicant for a Class B FM station at Springfield, Illinois (File No. B4-PH-161);

International Union, United Automobile, Aircraft & Agricultural Implement Workers of America (UAW-CIO), applicant for a Class B FM station at Flint, Michigan (File No. B2-PH-443);

Gannett Publishing Company, applicant for a Class B FM station at Augusta, Maine (File No. B1-PH-269);

KCKN Broadcasting Company, applicant for a Class B FM station at Kansas City, Missouri (File No. B4-PH-659);

Fountain of Youth Broadcasting Company, applicant for a Class B FM station at St. Augustine, Florida (File No. B1-PH-794);

Out West Broadcasting Company, applicant for a Class B FM station at Colorado Springs, Colorado (File No. B4-PH-382);

Trent Broadcasting Corporation, applicant for a Class B FM station at Trenton, New Jersey, (File No. B1-PH-794);

The Copley Press, Inc., applicant for a Class A FM station at Joliet, Illinois (File No. B4-PH-548);

Southern California Associated Newspapers, applicant for Class A FM stations at Alhambra and Glendale, California (File Nos. B5-PH-489, B5-PH-490);

San Pedro Printing and Publishing Company, applicant for a Class A FM station at San Pedro, California (File No. B5-PH-488);

McClatchy Broadcasting Company, applicant for Class B FM stations at Stockton and Modesto, California (File Nos. B5-PH-569, B5-PH-671); and

Crosley Broadcasting Corporation, applicant for a television station at Dayton, Ohio (File No. B2-PCT-118).

It is further ordered, That any of the foregoing parties to this proceeding desiring to participate in the oral argument on the said issue shall file a notice of appearance in duplicate on or before the 27th day of January 1947;

It is further ordered, That any other persons desiring to participate in the oral argument on the said issue shall file a petition in duplicate, requesting leave to participate and showing their interest in the proceeding, on or before the 27th day of January 1947.

[SEAL] FEDERAL COMMUNICATIONS
COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 47-591; Filed, Jan. 21, 1947;
8:46 a. m.]

NOTICES

TREASURY DEPARTMENT

United States Coast Guard

[CGFR-47-4]

APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R. S. 4405, 4417a, 4426, 4481, 4488, and 4491, as amended, 49 Stat. 1544, 54 Stat. 163-167, sec. 5, 55 Stat. 244 (46 U. S. C. 367, 375, 391a, 404, 474, 481, 489, 526-526t, 50 U. S. C. 1275) and section 101, Reorganization Plan No. 3 of 1946 (11 F. R. 7875) the following approvals of equipment are prescribed, effective upon the date of publication of this order in the FEDERAL REGISTER:

BUOYANT CUSHIONS

Approval No. B-360, 14" x 18" x 2" Style No. 300, kapok buoyant cushion, 22 ounces kapok, for use on motorboats of Classes A, 1, and 2 not carrying passengers for hire, Dwg. No. 3000, dated 27 December 1946, manufactured by American Textile Equipment Corp., 3 State Street, New York 4, N. Y.

Approval No. B-361, 12" x 48" x 2" Style No. 400, kapok buoyant cushion; 51 ounces kapok, for use on motorboats of Classes A, 1, and 2 not carrying passengers for hire, Dwg. No. 3001, dated 27 December 1946, manufactured by American Textile Equipment Corp., 3 State Street, New York 4, N. Y.

LIFEBOAT

28' x 9.79' x 4.13' Aluminum hand-propelled lifeboat with built-in air tanks, 75-person capacity, General Arrangement and Construction Dwg. No. 3112, dated 7 June 1946, submitted by the Welin Davit and Boat Division of the Robinson Foundation, Inc., Perth Amboy, N. J.

Dated: January 15, 1947.

J. F. FARLEY,
Admiral, U. S. Coast Guard,
Commandant.

[F. R. Doc. 47-604; Filed, Jan. 21, 1947;
8:47 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

[Vesting Order 7961]

VERMOEGENSVERWALTUNG UND ABWICKLUNGSSTELLE G. M. B. H.

In re: Debt, bank accounts, certificates of deposit, stocks and bonds owned by Vermoegensverwaltung und Abwicklungsstelle G. m. b. H., F-28-1663-E-1, F-28-1663-A-1, F-28-1663-A-2, F-28-1663-D-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788 and pursuant to law, after investigation, it is hereby found:

1. That Vermoegensverwaltung und Abwicklungsstelle G. m. b. H., the last known address of which is Theatinerstrasse 16/11, Munich 2-C, Germany, is a limited liability company, organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Germany and is a national of a designated enemy country (Germany)

2. That the property described as follows:

a. That certain debt or other obligation owing to Vermoegensverwaltung und Abwicklungsstelle G. m. b. H., by Bank of the Manhattan Company, 40 Wall Street, New York, New York, arising out of a checking account, entitled Vermoegensverwaltung und Abwicklungsstelle G. m. b. H., and any and all rights to demand, enforce and collect the same,

b. That certain debt or other obligation owing to Vermoegensverwaltung und Abwicklungsstelle G. m. b. H., by The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, arising out of a cash custodian account, entitled Vermoegensverwaltung und Abwicklungsstelle G. m. b. H., Separate Account, and any and all rights to demand, enforce and collect the same,

c. That certain debt or other obligation owing to Vermoegensverwaltung

und Abwicklungsstelle G. m. b. H., by The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, arising out of a cash custodian account, entitled Vermoegensverwaltung und Abwicklungsstelle G. m. b. H., and any and all rights to demand, enforce and collect the same,

d. Those certain shares of stock described in Exhibit A, attached hereto and by reference made a part hereof, registered in the names of the persons set forth in Exhibit A, and presently in the custody of The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, together with all declared and unpaid dividends thereon,

e. Those certain bonds described in Exhibit B, attached hereto and by reference made a part hereof, owned by Vermoegensverwaltung und Abwicklungsstelle G. m. b. H., and presently in the custody of The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, together with any and all rights thereunder and thereto,

f. All these debts or other obligations owing to Vermoegensverwaltung und Abwicklungsstelle G. m. b. H., by New York Hanseatic Corporation, 120 Broadway, New York 5, New York, including particularly but not limited to a portion of the sum of money on deposit with The National City Bank of New York, 55 Wall Street, New York 15, New York, in a bank account, entitled New York Hanseatic Corporation, Account "C", and any and all rights to demand, enforce and collect the same,

g. Ten (10) shares of the capital stock of The Chicago, Rock Island and Pacific Railway Company, a corporation organized under the laws of the States of Illinois and Iowa, evidenced by certificate numbered 84436, registered in the name of Bernhard Voges, and presently in the custody of New York Hanseatic Corporation, 120 Broadway, New York 5, New York, together with all declared and unpaid dividends thereon,

h. One hundred (100) shares of common (old stock) capital stock of The

Davidson Chemical Company, a corporation organized under the laws of the State of Maryland, evidenced by certificate numbered NY9564, registered in the name of Bernhard Voges, and presently in the custody of New York Hanseatic Corporation, 120 Broadway, New York 5, New York, together with all declared and unpaid dividends thereon.

1. Certificates of Deposit for three (3) St. Louis-San Francisco Railway Company Prior Lien Gold 4% Bearer Bonds, Series A, of \$1,000.00 face value, bearing the numbers AY690, AY692, at \$250.00 each and AD2272 at \$500.00, and presently in the custody of New York Hanseatic Corporation, 120 Broadway, New York 5, New York, together with any and all rights thereunder and thereto, and

3. Certificates of Deposit for three (3) St. Louis-San Francisco Railway Company Prior Lien Gold 4% Bearer Bonds, Series A, of \$2,250.00 face value, bearing the numbers AM 30648 and AM 30649 at \$1,000.00 each and AY 1089 at \$250.00,

and presently in the custody of The Chase National Bank of the City of New York, together with any and all rights thereunder and thereto,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

(40 Stat. 411, 55 Stat. 839, Pub. Law 322, 79th Cong., 60 Stat. 50; Pub. Law 671, 79th Cong., 60 Stat. 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981)

Executed at Washington, D. C., on January 7, 1947.

For the Attorney General.

[SEAL]

DONALD C. COOK,
Director.

EXHIBIT A

Name and address of issuer	State of incorporation	Certificate No.	Number of shares	Par value	Type of stock	Name of registered owner
American Commonwealth Power.....		GAO 6344.....	10		Common A.....	Justus Christian.
		GAO 6337.....	1		do.....	Do.
		GAO 6342.....	1		do.....	Do.
Alleghany Coal Co.....		SD 8931.....	.1		Common A (crip).....	Beacorr.
Baltimore & Ohio R. R., Baltimore & Ohio Bldg., Baltimore & Charles St., Baltimore 1, Md.	Maryland and Virginia.	131.....	5	\$100.00	Capital.....	Cudd & Co.
Botany Worsted Mills, Passaic, N. J.....	New Jersey.....	A45769.....	5	100.00	Common.....	Egger & Co.
International Nickel Co. of Canada, Ltd., Copper Cliff, Ontario.		A61759.....	32	5.00	Class A.....	Letto Steehr.
National Family Stores, Inc. (Manufacturers Trust Co., New York, successor trustee).	Dominion of Canada.....	AS332.....	.15		Class A (crip).....	Beacorr.
Radio Corp. of America, R. C. A. Bldg., 30 Rockefeller Plaza, New York, N. Y.		NB230245.....	59	No	Common.....	Letto Steehr.
		N1113.....	109	No	do.....	Harriman Brothers & Co.
	Delaware.....	FRC 37943.....	59		Common (foreign shares).....	Egger & Co.
		FRC 38291.....	15		do.....	Do.
		FRC 31679.....	15		do.....	Do.

EXHIBIT B

Name of issuer	Type of bond	Certificate No.	Face value
Republic of Chile.....	Republic of Chile external railway refunding sinking fund 6% bond of Jan. 1, 1928, due Jan. 1, 1961.	D 2105.....	\$500.00
Missouri-Kansas-Texas R. R. Co.....	Missouri-Kansas-Texas R. R. Co., Adjustment mortgage gold 5% series "A" due 1967.	C 8221.....	100.00
		C 8222.....	100.00
		C 7533.....	100.00
Free State of Bavaria.....	Free State of Bavaria external sinking fund, 6% bond of Aug. 1, 1925, due Aug. 1, 1945.	D 609.....	500.00
		D 610.....	500.00
		D 754.....	500.00
		D 755.....	500.00
		D 756.....	500.00
		D 757.....	500.00
National Railways of Mexico.....	National Railways Mexico extended 6% secured gold notes series A, due Jan. 1, 1953.	N 2553.....	45.00
		N 2555 to N 2559, inclusive (each).....	45.00
		N 2711 to N 2713, inclusive (each).....	45.00
		N 2714 to N 2717, inclusive (each).....	45.00
		N 2718 to N 2724, inclusive (each).....	45.00
		N 2725 to N 2730, inclusive (each).....	45.00
		N 2731.....	45.00
		N 2732 to N 2733, inclusive (each).....	45.00
		N 2734 to N 2735, inclusive (each).....	45.00
		N 2736 to N 2737, inclusive (each).....	45.00
		N 2738 to N 2739, inclusive (each).....	45.00
		N 2740 to N 2741, inclusive (each).....	45.00
		N 2742 to N 2743, inclusive (each).....	45.00
		N 2744 to N 2745, inclusive (each).....	45.00
		N 2746 to N 2747, inclusive (each).....	45.00
		N 2748 to N 2749, inclusive (each).....	45.00
		N 2750 to N 2751, inclusive (each).....	45.00
		N 2752 to N 2753, inclusive (each).....	45.00
		N 2754 to N 2755, inclusive (each).....	45.00
		N 2756 to N 2757, inclusive (each).....	45.00
		N 2758 to N 2759, inclusive (each).....	45.00
		N 2760 to N 2761, inclusive (each).....	45.00
		N 2762 to N 2763, inclusive (each).....	45.00
		N 2764 to N 2765, inclusive (each).....	45.00
		N 2766 to N 2767, inclusive (each).....	45.00
		N 2768 to N 2769, inclusive (each).....	45.00
		N 2770 to N 2771, inclusive (each).....	45.00
		N 2772 to N 2773, inclusive (each).....	45.00
		N 2774 to N 2775, inclusive (each).....	45.00
		N 2776 to N 2777, inclusive (each).....	45.00
		N 2778 to N 2779, inclusive (each).....	45.00
		N 2780 to N 2781, inclusive (each).....	45.00
		N 2782 to N 2783, inclusive (each).....	45.00
		N 2784 to N 2785, inclusive (each).....	45.00
		N 2786 to N 2787, inclusive (each).....	45.00
		N 2788 to N 2789, inclusive (each).....	45.00
		N 2790 to N 2791, inclusive (each).....	45.00
		N 2792 to N 2793, inclusive (each).....	45.00
		N 2794 to N 2795, inclusive (each).....	45.00
		N 2796 to N 2797, inclusive (each).....	45.00
		N 2798 to N 2799, inclusive (each).....	45.00
		N 2800 to N 2801, inclusive (each).....	45.00
		N 2802 to N 2803, inclusive (each).....	45.00
		N 2804 to N 2805, inclusive (each).....	45.00
		N 2806 to N 2807, inclusive (each).....	45.00
		N 2808 to N 2809, inclusive (each).....	45.00
		N 2810 to N 2811, inclusive (each).....	45.00
		N 2812 to N 2813, inclusive (each).....	45.00
		N 2814 to N 2815, inclusive (each).....	45.00
		N 2816 to N 2817, inclusive (each).....	45.00
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		N 2830 to N 2831, inclusive (each).....	45.00
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		N 2840 to N 2841, inclusive (each).....	45.00
		N 2842 to N 2843, inclusive (each).....	45.00
		N 2844 to N 2845, inclusive (each).....	45.00
		N 2846 to N 2847, inclusive (each).....	45.00
		N 2848 to N 2849, inclusive (each).....	45.00
		N 2850 to N 2851, inclusive (each).....	45.00
		N 2852 to N 2853, inclusive (each).....	45.00
		N 2854 to N 2855, inclusive (each).....	45.00
		N 2856 to N 2857, inclusive (each).....	45.00
		N 2858 to N 2859, inclusive (each).....	45.00
		N 2860 to N 2861, inclusive (each).....	45.00
		N 2862 to N 2863, inclusive (each).....	45.00
		N 2864 to N 2865, inclusive (each).....	45.00
		N 2866 to N 2867, inclusive (each).....	45.00
		N 2868 to N 2869, inclusive (each).....	45.00
		N 2870 to N 2871, inclusive (each).....	45.00
		N 2872 to N 2873, inclusive (each).....	45.00
		N 2874 to N 2875, inclusive (each).....	45.00
		N 2876 to N 2877, inclusive (each).....	45.00
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		N 2880 to N 2881, inclusive (each).....	45.00
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		N 2886 to N 2887, inclusive (each).....	45.00
		N 2888 to N 2889, inclusive (each).....	45.00
		N 2890 to N 2891, inclusive (each).....	45.00
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		N 2894 to N 2895, inclusive (each).....	45.00
		N 2896 to N 2897, inclusive (each).....	45.00
		N 2898 to N 2899, inclusive (each).....	45.00
		N 2900 to N 2901, inclusive (each).....	45.00
		N 2902 to N 2903, inclusive (each).....	45.00
		N 2904 to N 2905, inclusive (each).....	45.00
		N 2906 to N 2907, inclusive (each).....	45.00
		N 2908 to N 2909, inclusive (each).....	45.00
		N 2910 to N 2911, inclusive (each).....	45.00
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		N 2914 to N 2915, inclusive (each).....	45.00
		N 2916 to N 2917, inclusive (each).....	45.00
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		N 2954 to N 2955, inclusive (each).....	45.00
		N 2956 to N 2957, inclusive (each).....	45.00
		N 2958 to N 2959, inclusive (each).....	45.00
		N 2960 to N 2961, inclusive (each).....	45.00
		N 2962 to N 2963, inclusive (each).....	45.00
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		N 2988 to N 2989, inclusive (each).....	45.00
		N 2990 to N 2991, inclusive (each).....	45.00
		N 2992 to N 2993, inclusive (each).....	45.00
		N 2994 to N 2995, inclusive (each).....	45.00
		N 2996 to N 2997, inclusive (each).....	45.00
		N 2998 to N 2999, inclusive (each).....	45.00
		N 3000 to N 3001, inclusive (each).....	45.00
		N 3002 to N 3003, inclusive (each).....	45.00
		N 3004 to N 3005, inclusive (each).....	45.00
		N 3006 to N 3007, inclusive (each).....	45.00
		N 3008 to N 3009, inclusive (each).....	45.00
		N 3010 to N 3011, inclusive (each).....	45.00
		N 3012 to N 3013, inclusive (each).....	45.00
		N 3014 to N 3015, inclusive (each).....	45.00
		N 3016 to N 3017, inclusive (each).....	45.00
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		N 3048 to N 3049, inclusive (each).....	45.00
		N 3050 to N 3051, inclusive (each).....	45.00
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		N 3056 to N 3057, inclusive (each).....	45.00
		N 3058 to N 3059, inclusive (each).....	45.00
		N 3060 to N 3061, inclusive (each).....	45.00
		N 3062 to N 3063, inclusive (each).....	45.00
		N 3064 to N 3065, inclusive (each).....	45.00
		N 3066 to N 3067, inclusive (each).....	45.00
		N 3068 to N 3069, inclusive (each).....	45.00
		N 3070 to N 3071, inclusive (each).....	45.00
		N 3072 to N 3073, inclusive (each).....	45.00
		N 3074 to N 3075, inclusive (each).....	45.00
		N 3076 to N 3077, inclusive (each).....	45.00
		N 3078 to N 3079, inclusive (each).....	45.00
		N 3080 to N 3081, inclusive (each).....	45.00
		N 3082 to N 3083, inclusive (each).....	45.00
		N 3084 to N 3085, inclusive (each).....	45.00
		N 3086 to N 3087, inclusive (each).....	45.00
		N 3088 to N 3089, inclusive (each).....	45.00
		N 3090 to N 3091, inclusive (each).....	45.00
		N 3092 to N 3093, inclusive (each).....	45.00
		N 3094 to N 3095, inclusive (each).....	45.00
		N 3096 to N 3097, inclusive (each).....	45.00
		N 3098 to N 3099, inclusive (each).....	45.00
		N 3100 to N 3101, inclusive (each).....	45.00
		N 3102 to N 3103, inclusive (each).....	45.00
		N 3104 to N 3105, inclusive (each).....	45.00
		N 3106 to N 3107, inclusive (each).....	45.00
		N 3108 to N 3109, inclusive (each).....	45.00
		N 3110 to N 3111, inclusive (each).....	45.00
		N 3112 to N 3113, inclusive (each).....	45.00
		N 3114 to N 3115, inclusive (each).....	45.00
		N 3116 to N 3117, inclusive (each).....	

That such property is in the process of administration by Kenneth C. Cole as Administration of the Estate of Margareta Pabstmann, acting under the judicial supervision of the Surrogate's Court, Westchester County, New York;

And determined that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

(40 Stat. 411, 55 Stat. 839; Pub. Law 322, 79th Cong., 60 Stat. 50; Pub. Law 671, 79th Cong., 60 Stat. 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981)

Executed at Washington, D. C., on January 15, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director.

[F. R. Doc. 47-519; Filed, Jan. 17, 1947; 8:49 a. m.]

[Vesting Order 7974]

AKSEL LUNDGAARD BECK

In re: T/D of Aksel Lundgaard Beck, File F-66-346; E. T. sec. 2528.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Ingeborg Adele Helene Strauss, Helga Nanna Amalie Strauss, and Ewald v. Schroeder, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany),

2. That all right, title, interest and claim of any kind or character whatsoever of Ingeborg Adele Helene Strauss, Helga Nanna Amalie Strauss, and Ewald v. Schroeder, and each of them, in and to and arising out of or under that certain trust agreement dated September 13, 1933, by and between Aksel Lundgaard Beck and Savannah Bank and Trust Company, a corporation organized and existing under the laws of Georgia, and in and to all property held thereunder by Savannah Bank and Trust Company as trustee, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the

aforesaid nationals of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

(40 Stat. 411, 55 Stat. 839; Pub. Law 322, 79th Cong., 60 Stat. 50; Pub. Law 671, 79th Cong., 60 Stat. 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981)

Executed at Washington, D. C., on January 14, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director

[F. R. Doc. 47-625; Filed, Jan. 21, 1947; 8:49 a. m.]

[Vesting Order 7975]

JEANNE BERNSTORFF

In re: Trust under the will of Jeanne Bernstorff, deceased. File D-28-7498; E. T. sec. 7837.)

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Manfred Count Pourtales, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the issue, names unknown of Manfred Count Pourtales, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany)

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof, and each of them, in and to the trust created under the will of Jeanne Bernstorff, deceased, is property payable or deliverable to, or claimed by the aforesaid nationals of a designated enemy country (Germany),

4. That such property is in the process of administration by President and Directors of the Manhattan Company, as trustees, acting under the judicial supervision of the Surrogate's Court, New York County, State of New York:

and it is hereby determined:

5. That to the extent that the above-named person and the issue, names un-

known of Manfred Count Pourtales, deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

(40 Stat. 411; 55 Stat. 839; Pub. Law 322, 79th Cong., 60 Stat. 50; Pub. Law 671, 79th Cong., 60 Stat. 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981)

Executed at Washington, D. C., on January 14, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director.

[F. R. Doc. 47-626; Filed, Jan. 21, 1947; 8:50 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. SA-135]

ACCIDENT OCCURRING NEAR GALAX, VA.

NOTICE OF HEARING

In the matter of investigation of accident involving aircraft of United States Registry NC 88872 which occurred near Galax, Virginia, on January 11, 1947.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly section 702 of said act, in the above-entitled proceeding that hearing is hereby assigned to be held on Tuesday, January 21, 1947, at 9:00 a. m. (local time) in the Post Office Building, Court Room #337, 10th and Main Street, Richmond, Virginia.

Dated at Washington, D. C. January 15, 1947.

[SEAL] W. K. ANDREWS,
Presiding Officer

[F. R. Doc. 47-622; Filed, Jan. 21, 1947; 8:48 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

MULTIPLE OWNERSHIP

ORAL ARGUMENT

JANUARY 9, 1947.

The Commission today adopted an order² scheduling for February 7, 1947, oral argument before the Commission en banc on the following issue:

² See Federal Communications Commission in Proposed Rule Making section, *supra*.

1. To determine what application or interpretation of the Commission's rules and regulations concerning multiple ownership of broadcast stations, particularly FM and television broadcast stations, would best serve the public interest.

Named as parties to the proceeding were various applicants for FM and Television facilities who have applications pending before the Commission which involve questions of multiple ownership and overlap of service areas.

The order recites that "the Commission deems it desirable to obtain the views and opinions of interested persons" upon the foregoing issue.

The order provides that any named parties desiring to participate in the oral argument must file a notice of appearance in duplicate on or before January 27, 1947. It further provides that any other persons desiring to participate in the oral argument should file a petition in duplicate requesting leave to participate and stating their interest in the proceeding on or before January 27, 1947.

The purpose of the oral argument is to assist the Commission in determining the policy best calculated to serve the public interest in connection with the following provisions of Part 3 of the Commission's rules and regulations which contain the multiple ownership rules: Subpart A, § 3.35, relating to Standard broadcast stations; Subpart B, § 3.240 (a) relating to FM broadcast stations; Subpart D, § 3.640 (a) relating to Television broadcast stations.

It is contemplated that the Commission's staff will prepare as exhibits to be introduced in evidence at the oral argument lists of precedents involving the previous application of the multiple ownership rules by the Commission including a statement showing the extent of multiple ownership and contour maps showing the overlap in service areas involved in particular cases. Similar exhibits will be prepared as to all applicants named as parties to the proceeding. Copies of all proposed exhibits will be provided in advance of the oral argument to all parties named in the order, and also to all other persons permitted by the Commission to participate in the oral argument. This procedure should render it unnecessary for any person or party to present testimony or exhibits at the oral argument and should make it possible for them to limit themselves to the oral presentation of their views on the policies and matters involved.

[SEAL] FEDERAL COMMUNICATIONS
COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 47-592; Filed, Jan. 21, 1947;
8:46 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-1397]

BIRMINGHAM ELECTRIC CO.

MEMORANDUM OPINION AND ORDER

At a regular session of the Securities and Exchange Commission, held at its

office in the City of Philadelphia, Pennsylvania, on the 16th day of January A. D. 1947.

On November 29, 1946, the Commission issued its order granting and permitting to become effective the application-declaration of Birmingham Electric Company ("Birmingham") an electric utility subsidiary of Electric Bond and Share Company, a registered holding company, relating to the following transactions: the issuance of 64,000 shares of 4.20% Cumulative Preferred stock of the par value of \$100 per share ("New Preferred") an offer to exchange for each share of the 40,000 shares of outstanding \$7 and \$6 Preferred Stock ("Old Preferred"), one share of New Preferred plus an amount equal to the difference between the public offering price of the New Preferred and the call price of the Old Preferred; the redemption of the unexchanged Old Preferred; the sale at competitive bidding of the unexchanged shares of New Preferred; and the issuance and private sale of \$2,500,000 of 10 Year 2% Serial Notes.¹

In the findings and opinion approving the transactions described above, the Commission stated:²

While our usual practice is to have the dividend rate determined by competitive bidding so that the price paid to the company will not exceed \$102.75 per share, we are not imposing any conditions with respect to the company's proposal to invite bids on a dividend rate of 4.20%, in view of the company's position with respect to Alabama law concerning charter amendments. In the opinion of counsel for the company, the Alabama statutes require that the dividend rate and call price of the New Preferred must be stated in the charter amendment as proposed by the Board of Directors and as finally approved by the stockholder, and the stockholders must be given thirty days' notice of the proposed charter amendment.

On December 27, 1946, in accordance with the authorization granted by our order of November 29, 1946, Birmingham publicly invited competitive bids to be submitted on January 7, 1947 for the purchase of 45,478 shares of New Preferred,³ which represented the unexchanged portion of such stock at a dividend rate of 4.20 percent and a minimum price of \$100 net to the Company. Three underwriting syndicates, represented respectively by First Boston Corporation, Kidder, Peabody and Company, and Smith, Barney and Company, qualified with the Company in accordance with the invitation for bids.

Shortly before the time fixed for opening of bids, Birmingham learned that none of the qualified syndicates would submit a bid on the basis of the fixed dividend rate of 4.20 percent and the minimum price of \$100 to the Company. Thereupon, on January 7, 1947 the Company arranged for an extension of time for the consummation of its \$2,500,000 bank loan and advised the representatives of the three groups of prospective

bidders by telegraph that the time for receipt of bids had been extended to January 17, 1947.

On January 8, 1947, after consultation with the staff of the Commission, Birmingham filed an application requesting that the Commission exempt the proposed sale of the 45,478 shares of New Preferred from the competitive bidding requirements of Rule U-50. The Company states that the transactions could be consummated at this time only through a negotiated sale because of the restrictive provisions of Alabama law with respect to the necessity for a fixed dividend rate and the requirements of further notice to stockholders with respect to any change in the 4.20% dividend rate. It is further stated that failure to consummate the transaction at this time would result in the abandonment of the present financing program including the proposed bank loan, the return of the shares of Old Preferred heretofore deposited for exchange, and substantial losses to the Company in connection with the transactions. In addition, the abandonment of the present program would seriously jeopardize the completion of the Company's plan for modernization of its transportation system and the improvement of its electric system, in connection with which the Company has already made firm commitments of a substantial nature.

Birmingham has now filed an amendment setting forth the results of the negotiations with respect to the private sale of New Preferred. The transactions proposed in said amendment have been expressly authorized by the Alabama Public Service Commission. A further public hearing having been held before this Commission we now make the following findings:

The amendment states that as a result of the negotiations, an agreement was entered into between the Company and the First Boston Corporation, as the representative of an underwriting syndicate, with respect to the sale of 45,478 shares of New Preferred, wherein it was agreed that the price to be paid to the Company would be \$100 per share, and that the Company would pay a fee to the underwriters of \$2.75 per share, resulting in an annual cost of money to the Company of 4.32%. It is proposed that the stock will be offered for sale to the public at \$100.00 per share.⁴

The record made at the adjourned hearing, in addition to including the terms of the underwriting agreement set out above, covers the negotiations between Birmingham and the representatives of the underwriting syndicate for the purchase and sale of the 45,478 shares of New Preferred. The record also indicates that during the course of negotiations with First Boston Corporation, the Company received an informal offer from another syndicate at a slightly higher annual cost of money to the Company. The Company indicated that although the price agreed upon was not as favor-

¹ Birmingham Electric Company, — S. E. C. — (1946) Holding Company Act Release No. 7033.

² Ibid. Holding Company Act Release No. 7033 at Page 8.

³ During the exchange period, 18,522 shares of the Old Preferred were deposited for exchange pursuant to the exchange offer.

⁴ The holders of Old Preferred who deposited their shares for exchange will receive \$10 per share instead of some lesser amount which would have been received had the original proposals been consummated.

able as had been originally anticipated, such price was satisfactory in view of all of the circumstances.

Opinions have been submitted by counsel for the company and counsel for the underwriters that the validity of the exchange offer as originally proposed is not affected by the present amended proposals, and that upon completion of all steps necessary to the consummation of the transactions proposed, all provisions of Alabama law will have been complied with.

Although the compensation to be paid to the underwriters appears high, we conclude under the circumstances of this case that no adverse findings are necessary with respect thereto; we also conclude on the basis of the record that no adverse findings are necessary with respect to the amount to be paid to the company for the New Preferred. We also deem it appropriate to grant the Company's request for exemption from the competitive bidding requirements of our Rule U-50.

At the adjourned hearing, data was also submitted and testimony given with respect to the legal fees proposed to be paid in connection with the transaction. After examination of such data and the full record herein, we find that the fees proposed to be paid by the Company are not unreasonable, such fees being as follows: \$5,000 to Reid and Prest, New York counsel for the Company, and \$10,000 to White, Bradley, Arent and All, local counsel for the Company, and \$6,500 to Sullivan and Cromwell, counsel for the underwriters.

On the basis of the entire record herein we conclude that the application-declaration as amended should be granted and permitted to become effective forthwith, without the imposition of terms and conditions.

Wherefore it is ordered, That jurisdiction heretofore reserved over the price to be paid for the New Preferred, the underwriters' compensation and its allocation, and the legal fees proposed to be paid, be, and the same hereby is, released, and said application-declaration as amended is granted and permitted to become effective forthwith subject, however, to the terms and conditions prescribed in Rule U-24, and

It is further ordered, That an exemption from the competitive bidding requirements of Rule U-50 be, and the same hereby is, granted with respect to the sale of the 45,478 shares of New Preferred.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 47-583; Filed, Jan. 21, 1947;
8:49 a. m.]

[File No. 70-1420]

NORTH AMERICAN CO.

ORDER POSTPONING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 14th day of January 1947.

The Commission having given notice on December 20, 1946 of the filing of an application-declaration pursuant to the Public Utility Holding Company Act of 1935 by The North American Company with respect to the sale by The North American Company of its holdings of all the Capital Stock of the St. Louis County Gas Company to The Laclede Gas Light Company for a cash consideration of \$11,250,000, and having ordered a hearing to be held on January 16, 1947; and

Counsel for St. Louis County, Missouri having requested that the Commission stay proceedings in this matter due to the pendency of a hearing on January 14, 1947 before the Public Service Commission of Missouri with respect to the acquisition by The Laclede Gas Light Company of the Capital Stock of The St. Louis County Gas Company; and

The Commission having considered such request and it appearing that a postponement of the date heretofore fixed for hearing may appropriately be granted;

It is ordered, That the date for hearing in this matter heretofore fixed for January 16, 1947 be, and it hereby is, postponed until February 5, 1947.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 47-584; Filed, Jan. 21, 1947;
8:49 a. m.]

[File No. 70-1377]

NEW YORK STATE ELECTRIC AND GAS CORP.
AND GENERAL PUBLIC UTILITIES CORP.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 13th day of January 1947.

General Public Utilities Corporation (GPU), a registered holding company, and its subsidiary, New York State Electric & Gas Corporation (New York State), having filed a joint application-declaration, and amendments thereto, pursuant to sections 6 (a) 6 (b) 7, 12 (b) and 12 (c) of the Public Utility Holding Company Act of 1935 and Rules U-42, U-45 and U-50 promulgated thereunder, regarding the following transactions:

1. GPU will make a capital contribution of \$7,500,000 in cash to New York State prior to the proposed issue by New York State of its new bonds.

2. New York State proposes:

(a) to issue and sell \$13,000,000 principal amount of First Mortgage Bonds ----% Series, due 1977, the interest rate to be determined by competitive bidding. Concurrently with the delivery of and payment for the new bonds, New York State will call for redemption all of its issued and outstanding First Mortgage Bonds, 3 3/4% Series, due 1964, and will deposit, in trust, cash in amounts sufficient to effect the redemption of the 3 3/4% bonds in accordance with the terms thereof.

(b) Subsequent to the issuance and sale of the new bonds, New York State intends to issue and sell 150,000 shares of ----% Cumulative Preferred Stock, the dividend rate to be determined by competitive bidding. Concurrently with the delivery of and payment for the new preferred stock, New York State will call for redemption all of its issued and outstanding 5.10% Cumulative Preferred Stock and will deposit, in trust, cash in an amount sufficient to effect the redemption of such 5.10% stock in accordance with the terms thereof.

Part of the cash to be realized as the result of the above mentioned transactions will be applied to the redemption of the securities described below at the indicated redemption prices thereof.

Security	Principal amount or shares	Redemption price	Aggregate redemption price
First mortgage gold bonds, 3 3/4% series due 1964	\$13,000,000	Percent 105 3/4	\$13,747,500
Serial preferred stock, 5.10% cumulative preferred	Shares 120,000	105	12,000,000

\$8,800,875 of the cash realized will be placed in escrow for new construction, and the balance of such proceeds will be applied to the payment of interest and dividends on securities to be redeemed, amounting to \$91,625, and to the payment of certain costs and expenses of the financing, estimated at \$260,000.

New York State further proposes to make certain adjustments to its accounts including an increase in the capital applicable to its common stock from \$21,294,455.12 to \$22,000,000 by a transfer of \$705,544.88 from unappropriated earned surplus.

In connection with the issuance of the new bonds, New York State proposes to execute a supplemental indenture to be dated January 1, 1947, and to obtain the written consent of the holders of all outstanding \$35,393,000 principal amount of First Mortgage Bonds, 3 3/4% Series, due 1971 (created under a supplemental indenture dated April 1, 1941) to the execution of the proposed supplemental indenture, such bonds to be endorsed with a legend signifying such consent.

New York State having been authorized by the Public Service Commission of the State of New York to invite proposals for the purchase of its new bonds and subsequent thereto to invite proposals for the preferred stock; and

Applicants-declarants having requested that the Commission enter an order finding that the proposed capital contribution by GPU to New York State is, to the extent of \$2,209,435.03, necessary or appropriate to effectuate the provisions of section 11 (b) of the act, and the simplification of the GPU holding company system, and that such order conform to the pertinent requirements of the Internal Revenue Code, as amended, including sections 371 and 373 (a) thereof, and contain the recitals, specifications, and itemizations therein required; and

A public hearing having been held after appropriate notice, and the Commission having considered the record in this matter, and having made and filed its findings and opinion herein:

It is hereby ordered, That pursuant to the applicable provisions of said act, including sections 6 (a) 6 (b) 7 and 12 thereof, and the rules and regulations promulgated thereunder the aforesaid application-declaration, as amended, be, and hereby is, granted and permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24 of the general rules and regulations under the act and subject to the following additional conditions:

1. That New York State obtain from the Public Service Commission of the State of New York a final order expressly authorizing the issue and sale of said bonds and preferred stock.

2. That the proposed issue and sale of said bonds and preferred stock shall not be consummated until the results of the competitive bidding pursuant to Rule U-50 have been made a matter of record in this proceeding and a further order shall have been entered by this Commission in the light of the record so completed, which order may contain further terms and conditions as may then be deemed appropriate, jurisdiction being reserved with respect to the imposition thereof in connection with the proposed transactions.

It is further ordered, That the ten-day period for inviting bids on the new bonds as provided by Rule U-50, be, and the same hereby is, shortened to a period of not less than seven days, so as to permit the opening of bids on the new bonds on January 21, 1947.

It is further ordered, That jurisdiction be, and hereby is, reserved over the payment of all legal fees and expenses of all counsel in connection with the proposed transactions.

It is further ordered, That the capital contribution by GPU to New York State, to the extent of \$2,209,435.03, representing a portion of the funds derived from the sale of certain shares of the common stock of Florida Power Corporation, as approved by our orders dated October 11, 1945 and October 23, 1945 (File No. 70-1161) is necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935 and the simplification of the GPU holding company system.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 47-586; Filed, Jan. 21, 1947;
8:49 a. m.]

[File Nos. 70-1411 and 70-1414]

PUBLIC SERVICE COMPANY OF INDIANA, INC.,
ET AL.

ORDER GRANTING APPLICATIONS AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 16th day of January A. D. 1947.

In the matter of Public Service Company of Indiana, Inc., Indiana Gas & Water Company, Inc., File No. 70-1411, The Middle West Corporation, File No. 70-1414.

Public Service Company of Indiana, Inc. ("Service Company") a public utility company and an exempt holding company, and its public utility subsidiary, Indiana Gas & Water Company, Inc. ("Gas-Water"), having filed a joint application-declaration and an amendment thereto pursuant to the Public Utility Holding Company Act of 1935, and The Middle West Corporation ("Middle West") a registered holding company and the parent of Service Company, having filed an application and an amendment thereto pursuant to said act, regarding the following proposals:

1. Service Company proposes to dispose of substantially all of its holdings of common stock of Gas-Water by declaring dividends from time to time on its common stock payable in common stock of Gas-Water, with scrip certificates in lieu of fractional shares.

2. Gas-Water proposes to amend its articles of incorporation so as to provide for the issuance of scrip certificates representing fractional share interests in its outstanding common stock, all of which is held by Service Company.

3. Gas-Water proposes to issue from time to time bearer scrip certificates representing fractional share interests in its outstanding common stock in exchange for their equivalent in shares of such stock to be surrendered by Service Company.

4. Service Company proposes to change the maturity dates of \$3,250,000 aggregate principal amount of notes due certain banks and now maturing September 1, 1955, so that said notes will become due as follows: \$125,000 on December 1, 1949 and \$125,000 quarterly thereafter to and including June 1, 1955, and the balance of \$375,000 on September 1, 1955.

5. Middle West proposes to acquire from time to time shares of common stock of Gas-Water (or scrip certificates representing fractional shares) to which it may be entitled by reason of its ownership of 224,586 shares (approximately 20.27%) of outstanding common stock of Service Company; and

Said application-declaration having been filed on December 4, 1946, and an amendment thereto having been filed on December 26, 1946, and said application having been filed on December 9, 1946, and an amendment thereto having been filed on December 24, 1946, and notice of such filings having been duly given in the manner and form prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing with respect to any of said matters within the period specified in such notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that the Public Service Commission of Indiana has, by appropriate orders, authorized and permitted the aforesaid transactions by and between Service Company and Gas-Water; and

The Commission finding that the requirements of sections 6 (b), 7, 10, 12 (d)

and 12 (f) of the act and Rules U-43 and U-44 thereunder are satisfied and that no adverse findings are necessary thereunder, and the Commission finding that the proposed acquisition by Middle West satisfies the requirements of section 10 of the act and that no adverse findings are necessary thereunder, subject, however, to a reservation of jurisdiction with respect to the ownership or disposition by Middle West of shares of common stock of Gas-Water acquired pursuant to said proposals:

It is hereby ordered, Effective forthwith, pursuant to Rule U-23 and the applicable provisions of the act, that the application-declaration, as amended, and the application as amended, be, and the same are hereby, granted and permitted to become effective respectively, subject, however, to the terms and conditions prescribed in Rule U-24 and to the further condition that jurisdiction is reserved with respect to the ownership or disposition by The Middle West Corporation of shares of common stock of Indiana Gas & Water Company, Inc.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 47-535; Filed, Jan. 21, 1947;
8:49 a. m.]

[File No. 54-81]

MIDDLE WEST CORP. ET AL.

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 15th day of January A. D. 1947.

In the matter of the Middle West Corporation, Central and South West Utilities Company, and American Public Service Company, File No. 54-81.

Pursuant to orders of the Commission heretofore entered on April 30, 1946 (Holding Company Act Release No. 6606) and December 18, 1946 (Holding Company Act Release No. 7078), a hearing is to be held on January 27, 1947 at 2:30 p. m., e. s. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania, with respect to the following transaction:

By orders entered April 30, 1946 and June 19, 1946, the Commission and the United States District Court for the District of Delaware, respectively, approved a plan filed by the parties pursuant to the provisions of section 11 (e) of the Public Utility Holding Company Act of 1935 providing, among other things, for the merger of American Public Service Company (American) into Central and South West Utilities Company (Central) and for the reorganization of the surviving company on a common stock basis with a capitalization of 6,600,000 shares of common stock of the par value of \$5 per share. In general, the plan provides that the publicly held prior lien and preferred shares (preference shares) of Central and American may be exchanged for such number of shares of the new common stock as, taken at the initial

public offering price of the shares of common stock to be sold at competitive bidding, shall equal the respective redemption prices of such preference shares, or, at the option of the holders thereof, may be surrendered for cash in an amount equivalent to the respective redemption prices of such shares, including dividends accrued thereon to the effective date of the merger. Cash required for the retirement of the unexchanged preference stocks is to be raised by the sale at competitive bidding pursuant to the provisions of Rule U-50 of the minimum number of shares of the new common stock necessary for the purpose. The balance of the shares of common stock of the New Company remaining after the sale or exchange to provide for the preference stocks will be issued in exchange for the common stock of Central and American in accordance with the terms of the plan. In the order of April 30, 1946, the Commission reserved jurisdiction, among other things, with respect to the reasonableness of the price to be paid for the New Company's common stock, the underwriter's spread and the fees and expenses in connection therewith.

In order to effectuate the exchanges mentioned above, the companies filed a supplemental declaration for authority to employ security dealers to solicit exchanges of the various preference stocks. In said declaration a time schedule was established for the consummation of the various remaining steps of the plan. Under this schedule, bids for the new common stock are to be opened at 10:30 a. m., e. s. t., on January 27, 1947; the Commission has been requested to enter its order with respect to price and spread on or before January 28, 1947, and the stock is to be publicly offered by underwriters on January 30, 1947. The terms of the bid accepted by the company will become a matter of public information on the day bids are opened, will be released to the press on that day, and any interested person can ascertain this information by inquiry to the Secretary of the Commission at its offices in Philadelphia.

Notice is therefore given and *It is hereby ordered*, That a hearing on such matters, under the applicable provisions of the act and rules of the Commission, be held on January 27, 1947 at 2:30 p. m., e. s. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such date the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held. All persons desiring to be heard or otherwise wishing to participate in the proceedings shall notify the Commission in the manner prescribed by Rule XVII of the rules of practice on or before January 24, 1947.

It is further ordered, That Richard Townsend or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing in such matter. The officer so designated to preside at the hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a hearing officer under the Commission's rules of practice.

The issues to be considered at said hearing are:

1. Whether the price to be paid for the New Company's common stock, the underwriter's spread or compensation and the fees and expenses in connection therewith are reasonable, and, generally, whether the provisions of Rule U-50 have been complied with.

2. Whether, in the light of the Commission's findings and opinion and order of April 30, 1946, approving the plan, issuance and sale of the stock at the initial public offering price set forth in the bid should be approved.

3. What conditions, if any, should be imposed in the public interest or for the protection of investors or consumers.

It is further ordered, That notice of said hearing be given to Central, American, The Middle West Corporation, to all persons who have heretofore applied for or who have been granted participation in the proceedings and to all other persons. Said notice to be given by registered mail to Central, American, The Middle West Corporation and to all other persons who have heretofore applied for or who have been granted participation in the proceedings, and to all other persons by publication of this notice and order in the FEDERAL REGISTER, by release to the press of this notice and order and by mailing a copy of this notice and order to all persons on the Commission's mailing list for releases under the Public Utility Holding Company Act of 1935.

By the Commission.

[SEAL]

ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 47-587; Filed, Jan. 21, 1947;
8:48 a. m.]

FEDERAL POWER COMMISSION

[Docket Nos. IT-6015, IT-6022]

PUGET SOUND POWER & LIGHT CO.

NOTICE OF DETERMINATION OF EMERGENCY
AND GRANTING OF EXEMPTION FOR USE OF
INTERCONNECTIONS

JANUARY 17, 1947.

Notice is hereby given that, on January 16, 1947, the Federal Power Commission issued its determination of emergency and granting of exemption for use of interconnections, entered January 14, 1947, in the above-designated matters.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 47-588; Filed, Jan. 21, 1947;
8:48 a. m.]

FEDERAL TRADE COMMISSION

[Docket No. 5324]

NATIONAL RETAIL FURNITURE ASSN., ET AL.

ORDER APPOINTING TRIAL EXAMINER AND FIX-
ING TIME AND PLACE FOR TAKING TESTI-
MONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 10th day of January A. D. 1947.

In the matter of National Retail Furniture Association, a corporation; its officers, directors, as such and individually, and members; The American Retail Fed-

eration, a corporation, its officers, trustees, as such and individually, and members; Retail Furniture Association of Baltimore, Inc., a corporation, its officers, directors, as such and individually, and members; The Retail Trade Board of the Boston Chamber of Commerce, a voluntary association, its officers, directors, as such and individually, and members; New York Council on Retail Trade Diversion, Inc., a corporation, its officers, Executive Committee, as such and individually, and members; Associated Furniture Dealers of New York, Inc., a corporation, its officers, directors, as such and individually, and members; Philadelphia Trade Relations Council, a corporation, its officers, directors, as such and individually, and members; Retail Merchants Association of Pittsburgh, a corporation, its officers, directors, as such and individually, and members; Retail Merchants Association of Detroit, a voluntary association, its officers, directors, as such and individually, and members; Retail Trade Board of Providence Chamber of Commerce, a voluntary organization, its officers, directors, as such and individually, and members.

This matter being at issue and ready for the taking of testimony and the receipt of evidence, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That James A. Purcell, a Trial Examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony and the receipt of evidence begin on Thursday, January 23, 1947, at ten o'clock in the forenoon of that day (eastern standard time) in Hearing Room Number 332, Federal Trade Commission Building, Sixth and Pennsylvania Avenue NW., Washington, D. C.

Upon completion of the taking of testimony and the receipt of evidence in support of the allegations of the complaint, the Trial Examiner is directed to proceed immediately to take testimony and receive evidence on behalf of the respondents. The Trial Examiner on the completion of the taking of testimony and the receipt of evidence will then close the case and make and serve on the parties at issue a recommended decision which shall include recommended findings and conclusions, as well as the reasons or basis therefor, upon all the material issues of fact, law, or discretion presented on the record, and appropriate recommended order; all of which shall become a part of the record in said proceeding.

By the Commission.

[SEAL]

OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 47-621; Filed, Jan. 21, 1947;
8:46 a. m.]

INTERSTATE COMMERCE COMMISSION

[S. O. 396, Special Permit 83]

RECONSIGNMENT OF CARROTS AT PHILADELPHIA, PA.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 396 (10 F. R. 15008) permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 396 insofar as it applies to the reconsignment at Philadelphia, Pennsylvania, January 10, 1947, by S. & D. Wolf, of car PFE 34094, carrots, now on the Baltimore & Ohio Railroad, to Irving J. Okun, New York, New York (B&O)

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 10th day of January 1947.

V. C. CLINGER,
Director
Bureau of Service.

[F. R. Doc. 47-589; Filed, Jan. 21, 1947;
8:46 a. m.]

OFFICE OF TEMPORARY CONTROLS

Civilian Production Administration

[C-453]

D. L. BOOZER
CONSENT ORDER

D. L. Boozer of Anniston, Alabama, is charged by the Civilian Production Administration with violation of Veterans' Housing Program Order No. 1 in that subsequent to March 26, 1946, and on or about July 30, 1946, he began construction of an L-shaped concrete block commercial building of the approximate size of 80 ft. by 84 ft., less 44 ft. by 48 ft. on the southeast corner which forms the L, located on U. S. Highway 78, about 2½ miles west of Anniston, Alabama, at an estimated cost of \$5,500.00. Construction of said building was begun without obtaining authorization from the Civilian Production Administration and was carried on until a stop violation telegram was dispatched to D. L. Boozer on August 21, 1946, up to which time labor and materials amounting to approximately \$1,200.00 had been incorporated into said structure. Subsequent to August 21, 1946, D. L. Boozer made application to the Civilian Production Administration, Birmingham, Alabama, for authorization to continue construction on said building which application was denied.

D. L. Boozer admits the violation as charged and does not desire to contest the same and has consented to the issuance of this order. D. L. Boozer asserts, however, that the violation, which he admits, was not wilful or intentional. Wherefore, upon the agreement and consent of D. L. Boozer, the Regional Compliance Director and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered, That:*

(a) Neither D. L. Boozer, his successors or assigns, nor any other person shall do any further construction on the premises herein described or any part thereof located on U. S. Highway 78, about 2½ miles west of Anniston, Alabama, including the putting up, completing or altering of any structure located on said premises, unless hereafter specifically authorized in writing by the Civilian Production Administration.

(b) D. L. Boozer shall refer to this order in any application or appeal which he may file with the Civilian Production Administration for priorities assistance or for authorization to carry on construction.

(c) Nothing contained in this order shall be deemed to relieve D. L. Boozer, his successors and assigns, from any restriction, prohibition or provision contained in any other order or regulation of the Civilian Production Administration, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 20th day of January 1947.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 47-673; Filed, Jan. 20, 1947;
4:30 p. m.]

Office of Price Administration

[RMPR 194, Order A-5]

RETAILER'S MAXIMUM PRICES FOR RICE AND SUGAR

Pursuant to the provisions of section 18 (a) of RMPR 194, and regardless of any provision or provisions of RMPR 288, it is ordered:

SECTION 1. *Scope of this order.* (a) This order applies to all sales of rice and sugar in the localities specified in Tables I and II below, sold at retail in the Territory of Alaska.

(b) *Relationship of this order to Revised Maximum Price Regulation 194.* This order replaces the pricing provisions of sections 5 and 6 and modifies other provisions of RMPR 194. All other provisions of RMPR 194 not inconsistent with the provisions of this order remain in effect. All letters, letter orders and general orders previously issued under RMPR 194 or RMPR 194, approving or establishing your maximum price for rice or sugar in these localities are hereby superseded.

SEC. 2. *How to figure your ceiling prices under this order.* (a) Your ceiling price for rice and sugar, provided you sell these commodities in the localities speci-

fied in Tables I or II, shall be your landed costs plus the lawful percentage margins expressed as division factors for these commodities as hereinafter set out in Tables I and II.

TABLE I—RICE

Bulk	Packaged	Brown
\$0.70	\$0.75	\$0.67

¹ One cent per lb. if packaged and sold by the retailer in cellophane bag may be added to the price otherwise established by this order. The cost to him, however, of the bags may not be included in "landed costs"

Ketchikan, Wrangell, Petersburg, Juneau, Douglas, Sitka, Skagway, Haines, Cordova, Valdez, Seward, Kodiak, Anchorage, Palmer and railroad points north of Anchorage and south of Fairbanks, Fairbanks, Nome and other west coast towns accessible by seagoing vessels and lighters.

TABLE II—SUGAR

	S E Alaska ¹	Gulf ²	Kodiak	Nome ³	Anchorage	Palmer ⁴	Fairbanks ⁵
1-lb. bulk.....	\$0.75	\$0.75	\$0.75	\$0.67	\$0.75	\$0.75	\$0.83
1-lb. carton.....	.73	.74	.70	.67	.72	.73	.80
2-lb. carton cr.....	.77	.76	.80	.63	.70	.74	.85
5-lb. bulk cr bag.....	.82	.77	.81	.67	.81	.75	.83
10-lb. bulk cr.....	.80	.79	.83	.71	.81	.77	.83
25-lb. bulk cr.....	.80	.79	.83	.74	.81	.81	.89
100-lb.....	.87	.79	.83	.77	.85	.83	.89

¹ Applicable only to Ketchikan, Wrangell, Petersburg, Juneau, Douglas, Sitka, Skagway and Haines.

² Applicable only to Cordova, Valdez and Seward.

³ Applicable to Nome and all other west coast towns accessible by seagoing vessels and lighters.

⁴ Applicable to Palmer and all railroad points north of Anchorage and south of Fairbanks.

⁵ Applicable to landed costs only as if incurred for carlot amounts.

SEC. 3. *Definitions.* "Landed costs" means cost at wholesale but no more than the applicable maximum wholesale price, plus shipping costs incurred by the retailer which shall include only wharfage and handling costs, ocean freight costs and surcharge thereon, the transportation tax of 3%, and war risk and marine insurance. It shall not include local drayage.

SEC. 4. *How a retailer should calculate his maximum prices under this order.*

(a) Determine the lawful landed costs of purchase from a wholesaler.

(b) Divide the lawful landed costs by the appropriate division factor.

(c) The quotient is the maximum price.

EXAMPLE: If the landed costs in Haines for a 10 lb. bag of cane sugar refined are \$0.93, and the appropriate division factor is 0.82, divide 0.82 into \$0.93; the quotient is \$1.17. The ceiling price is, then, \$1.17.

SEC. 5. All prior regulations or orders fixing the price of rice and sugar shall remain in full force and effect for the purpose of enforcing the provisions thereof for any violations which occurred, or rights or liabilities which arose, before the effective date of this order.

In the opinion of the Administrator, this order will assure more effective price control, greater ease in pricing and permit the proper margins under section 2 (b) of the act.

This order shall become effective January 22, 1947.

Issued this 21st day of January 1947.

PHILIP B. FLEMING,
Temporary Controls Administrator
[F. R. Doc. 47-612; Filed, Jan. 21, 1947;
8:49 a. m.]

[Amdt. 1]

LIQUIDATION OF DISTRICT OFFICES IN REGION IV

REDELEGATION OF AUTHORITY

Pursuant to paragraph (b) of General Order 75, issued on November 25, 1946, by the Administrator of the Office of Price Administration, authority is hereby redelegated to the District Director of each district in Region IV together with such other personnel as may be required, including the District Enforcement Attorney, the District Price Executive, and the District Slaughter Control Officer, to process and issue certifications to the Reconstruction Finance Corporation for subsidy payments and subsidy withholding under Control Order 2, Maximum Price Regulation 574, Revised Maximum Price Regulation 169 and Revised Maximum Price Regulation 239, and to do all acts necessary and proper in connection therewith. This authority is redelegated until such time as all certifications on Form 6036-2959 are completed in each respective district office.

This redelegation shall be effective as of November 30, 1946.

Issued this 6th day of December 1946.

JAMES P. DAVIS,
Acting Regional Administrator

Confirmed:

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 47-615; Filed, Jan. 21, 1947;
8:46 a. m.]

LIQUIDATION OF ALL DISTRICT OFFICES IN REGION IV

General Order No. 75 orders the discontinuance of all OPA District Offices as of the close of business November 30, 1946, under authority therein delegated to Regional Administrators and in Ch. 1-104, OPA Manual, I therefore, order:

1. That all District Offices in the jurisdiction of Region IV be discontinued as of the close of business November 30, 1946, except for the accomplishment of certain internal administrative actions necessary in the liquidation process and prescribed by official reorganization instructions.

2. That all functions, powers, and duties of these District Offices, including those of Price Control Boards previously transferred to District Offices be transferred to the Regional Office (and reas-

signed to the Sugar Branch Offices, and the Enforcement Branch Offices, where appropriate) in accordance with reorganization instructions (beginning with Reorganization Instruction No. 1, issued November 12, 1946), as Vol. 2 Supplement, OPA Manual.

3. That from the close of business November 30, 1946, any action theretofore taken by any discontinued District Office, including those taken by Price Control Boards and previously transferred to the District Office, authorizing or requiring any person to do or to perform any act, shall continue in full force and effect and shall be taken as the action of the Regional Office, to be administered by the Regional Office, the Sugar Branch Office, or the Enforcement Branch Office, as prescribed in Reorganization Instructions (issued as Vol. 2 Supplement, OPA Manual) or as delegated by the Regional Administrator to the extent that he is authorized to delegate.

Effective November 30, 1946.

Issued this 25th day of November 1946.

JAMES P. DAVIS,
Acting Regional Administrator

Confirmed:

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 47-614; Filed, Jan. 21, 1947;
8:46 a. m.]

[Region VIII, Order G-2 Under MPR 586,
Amdt. 1]

STORAGE AND TERMINAL SERVICES; COLD STORAGE WAREHOUSING IN EASTERN WASHINGTON

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by section 8 (a) of Maximum Price Regulation No. 586 is amended as follows:

(1) Appendix B is amended to read as follows: "Yakima Area: Yakima, Benton, Klickitat and Skamania Counties, Washington." Maximum prices of cold storage warehousing services:

Item	Maximum price
Packed winter apples and pears: (per box)	
First month or fraction thereof	\$0.18
Second month or fraction thereof	.06
Each succeeding month or fraction thereof up to May 1	.03
Each month or fraction of month thereafter	.05
(Per ton)	
Other cannery fruits and vegetables:	
Season through Sept. 30	\$7.50
Each succeeding 15 days or fraction thereof (or at seller's option)	1.00
First 30 days	6.65
Each succeeding 15 days or fraction thereof	1.00

This amendment shall become effective as of November 8, 1946, except that it shall apply to sales made theretofore under Maximum Price Regulation No. 586.

Issued: January 10, 1947.

BEN C. DUNIWAY,
Regional Administrator

Opinion Accompanying Amendment 1 to Order G-2 Under Maximum Price Reg- ulation 586

The accompanying amendment clarifies and makes more certain the intention of Order No. G-2 as it was originally issued. The order as amended more clearly defines the scope of the order as covering the enumerated cold storage services in Yakima, Benton, Klickitat and Skamania Counties in the State of Washington. In Order No. G-2 the last two named counties were inadvertently omitted.

The second one concerns the optional rates for "other cannery fruits and vegetables." It was intended to continue the practice of permitting the buyer to charge an alternative rate at his option in those classes where the charges were formerly made on such a basis and not to authorize buyers to insist upon these rates in storage plants in other localities.

The order therefore accomplishes the original purpose intended by Order No. G-2 under Maximum Price Regulation No. 586.

[F. R. Doc. 47-617; Filed, Jan. 21, 1947;
8:46 a. m.]

[Region IV Sugar Rationing Delegation Order
1 Under Gen. Order 75]

DELEGATION OF AUTHORITY TO DIRECTORS OF SUGAR BRANCH OFFICES

Pursuant to the authority conferred under the Regional Administrator by General Order No. 75, issued by the Price Administrator November 25, 1946, and effective November 30, 1946, there is hereby delegated to the Directors of the Sugar Branch Offices in this Region IV, of the Office of Price Administration, all authority heretofore delegated by the Regional Administrator to District Offices, District Directors, District Sugar Rationing Representatives, or other District Office personnel concerning the receipt and processing of applications relating to sugar rationing and exercised pursuant to Third Revised Ration Order 3, Sugar; Revised General Ration Order 5, Food Rationing for Institutional Users, or Revised General Ration Order 18, Distribution of Bases to Certain Former Members of the Armed Forces, except as follows:

R-146—Application for Sugar Ration Book.

R-194—Consumer Replacement Application.

R-353—Application for a Temporary Sugar Ration, and except as modified by Ration Issuance Notifications Instructions, Sugar Branch Office, Revised November 25, 1946, or by instructions or delegations of authority hereafter issued by the Regional Sugar Executive.

This order shall be effective as of November 30, 1946.

Issued this 31st day of December 1946.

JAMES P. DAVIS,
Acting Regional Administrator

[F. R. Doc. 47-616; Filed, Jan. 21, 1947;
8:46 a. m.]